

Application No. 09/954,625

Terminal Disclaimers are provided herewith to obviate the Examiner's obviousness-type double patenting rejections with respect to U.S. Patent No, 6,291,758 and U.S. Patent No. 6,291,759.

In his rejections of claims 37-40 under 35 U.S.C. § 102(a) as being met by either of Kinman '520 or Kinman '966, the Examiner stated that each of these patents "disclosed a first wire coil 30, a second wire coil 20 and a ferromagnetic plate 41". However, Applicant respectfully submits that both Kinman '520 and Kinman '966 disclose a "shield 40 having a web 41 and opposed flanges 42, 43..." (column 5, lines 13, 15). It is important to note that "Flanges 42, 43 extend upwardly and over sides of the coil 30" (column 5, lines 16, 17). These upwardly extending flanges 42, 43 are clearly shown in Figure 1 of both Kinman '520 and Kinman '966. This, the shield 40 of these two Kinman references is clearly not flat. More particularly, the shield 40 of these two Kinman references is not "a single, completely flat non-magnetized ferromagnetic plate," as recited in amended independent claims 24 and 37-40.

Rather, the shield 40 of these two Kinman references is generally U-shaped and cross-section, as can be clearly seen in Figure 3 of both Kinman references. By way of contrast, the non-magnetized ferromagnetic plate of the present invention is completely flat, and thus does not have the U-shaped cross-section of the Kinman shield 40.

In his rejections of claims 22-36 under 35 U.S.C. § 102(e) as being met by either of Kinman '999 or Blucher *et al.*, the Examiner further stated that "A ferromagnetic plate is disposed intermediate the coils." However, the shield 40 of the Kinman '999 reference, like the shields 40 of the Kinman '520 and '966 references, has upwardly extending flanges 42 and 43 (as shown in Figure 10 thereof), which are generally U-shaped in cross-section (as shown in Figure 3 thereof) and which are not completely flat.

The plate 4 of the Blucher *et al.* reference similarly has upwardly extending side walls 42 and 43 and is thus also generally U-shaped in cross-section and not completely flat.

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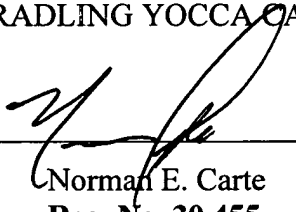
Thus, none of the cited references, taken either alone or in combination with one another, either disclose or make obvious "a completely flat ferromagnetic plate disposed intermediate the first wire coil and the second wire coil," as substantially recited in amended claims 24 and 37-40.

In view of the foregoing, it is respectfully submitted that the subject patent application is in a condition for immediate allowance. Reconsideration and an early allowance is therefore respectfully requested.

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Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES

IN THE SPECIFICATION:

This is a continuation-in-part of U.S. Patent Application Serial Number 09/014,839, filed January 28, 1998, for a Pickup for Electric Guitars. This patent application is a divisional patent application of United States Serial No. 09/216,447, filed on December 18, 1998 and issued as United States Patent No. 6,291,759, which is a continuation-in-part of United states Serial No. 09/014,839 and issued as United States Patent No. 6,291,758.

IN THE CLAIMS:

24. (Amended) A pickup for a musical instrument, the pickup comprising:
a first wire coil;
a second wire coil disposed proximate the first wire coil;
at least one magnet disposed at least partially within both the first wire coil and the second wire coil; and
a completely flat ferromagnetic plate disposed intermediate the first wire coil and the second wire coil.

37. (Amended) A pickup for a musical instrument, the pickup comprising:
a first wire coil;
a second wire coil;
a completely flat ferromagnetic plate disposed in a substantially magnetically neutral location between the first wire coil and the second wire coil; and
wherein the first wire coil and the second wire coil are configured so as to create a humbucking effect.

38. (Amended) A guitar comprising:
a body;
a pickup disposed upon the body, the pickup comprising:

a first wire coil;
a second wire coil;
a completely flat ferromagnetic plate disposed in a substantially magnetically neutral location between the first wire coil and the second wire coil; and
wherein the first wire coil and the second wire coil are configured so as to create a humbucking effect.

39. (Amended) A method for forming a pickup for a musical instrument, the method comprising:

providing a first wire coil;
providing a second wire coil;
providing a completely flat ferromagnetic plate; and
assembling the first wire coil, the second wire coil and the ferromagnetic plate such that the ferromagnetic plate is disposed intermediate the first wire coil and the second wire coil in a substantially magnetically neutral location.

40. (Amended) A method for converting vibrations of strings of a musical instrument into electrical signals representative thereof, the method comprising:

providing a pickup comprising a completely flat ferromagnetic plate disposed between two wire coils;
causing at least one string to vibrate so as to vary current in the two wire coils; and
humbucking the two coils so as to mitigate noise therefrom.